

REGULAR MEETING- TELECONFERENCE
LINDALE CITY COUNCIL
TUESDAY SEPTEMBER 15, 2020 6:00 P. M.
CITY HALL, 105 BALLARD DR.

DUE TO THE CURRENT CORONAVIRUS COVID-19 PUBLIC HEALTH EMERGENCY A TEMPORARY SUSPENSION OF THE OPEN MEETING ACTS TO ALLOW TELEPHONE OR VIDEOCONFERENCING PUBLIC MEETINGS HAS BEEN GRANTED BY GOVERNOR GREG ABBOTT. A TELECONFERENCE MEETING OF THE LINDALE CITY COUNCIL WAS CONDUCTED INSTEAD OF MEETING PROVIDING A PHYSICAL ACCESS TO THE PUBLIC. MEMBERS OF THE PUBLIC WERE ALLOWED TO PARTICIPATE BY JOINING A MEETING LIVE OR BY CALLING TO LISTEN LIVE.

MAYOR JEFF DAUGHERTY CALLED THE MEETING TO ORDER AT 6:00 P.M. HAVING ESTABLISHED A QUORUM.

COUNCIL MEMBERS PRESENT VIA TELEPHONE CONFERENCE: RICK THELEN, CLYDE HARPER, GINGER SIMS, BOB TARDIFF AND BRYAN SUMMERVILLE.

OTHERS PRESENT: CITY MANAGER, CAROLYN CALDWELL (IN PERSON), CITY SECRETARY, MICHELLE PHILLIPS (IN PERSON), FINANCIAL DIRECTOR, DAVID CRAFT (IN PERSON), SUSAN GIL LEDC PRESIDENT (IN PERSON), WATER DIRECTOR, KYLE MCCOY (VIA TELEPHONE CONFERENCE), CHIEF DAN SOMES (VIA TELEPHONE CONFERENCE).

CAROLYN CALDWELL'S OPENING STATEMENT TO MEMBERS OF THE PUBLIC AND ANY CITIZENS ONLINE THAT WOULD LIKE TO SPEAK ON AN AGENDA ITEM, PLEASE STATE YOUR NAME AND AGENDA ITEM YOU WOULD LIKE TO ADDRESS. IF THERE ARE ANY CITIZENS THAT WOULD LIKE TO SPEAK ON CITIZEN TALK TIME STATE YOUR NAME.

C-1 PUBLIC HEARING TO RECEIVE COMMENTS REGARDING THE PROPOSED 2020-2021 BUDGET YEAR. COUNCIL ENTERED INTO PUBLIC HEARING AT 6:03 P.M. THERE BEING NO PUBLIC COMMENTS HEARING CLOSED 6:03 P.M.

C-2 DISCUSSION AND ACTION TO APPROVE AN ORDINANCE ADOPTING A BUDGET FOR THE PERIOD BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH. RICK THELEN MADE A MOTION TO APPROVE **ORDINANCE 15-2020** ADOPTING A BUDGET FOR THE PERIOD BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021 REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH. SECOND BY GINGER SIMS. RECORD OF VOTE RICK THELEN FOR, CLYDE HARPER FOR, GINGER SIMS FOR, BOB TARDIFF FOR, AND BRYAN SUMMERVILLE FOR. MOTION CARRIED UNANIMOUSLY.

C-3 DISCUSSION AND ACTION TO RATIFY THE PROPERTY TAX AS REFLECTED IN THE BUDGET, AS REQUIRED BY SECTION 102.007 (C). BOB TARDIFF MADE A MOTION TO APPROVE **ORDINANCE 16-2020** TO RATIFY THE PROPERTY TAX REFLECTED IN THE 2020-2021 BUDGET. SECOND BY CLYDE HARPER. RECORD OF VOTE RICK THELEN FOR, CLYDE HARPER FOR, GINGER SIMS FOR, BOB TARDIFF FOR, AND BRYAN SUMMERVILLE FOR. MOTION CARRIED UNANIMOUSLY.

C-4 DISCUSSION AND ACTION TO APPROVE AN ORDINANCE LEVYING AN AD VALOREM TAX RATE OF .4785 THAT IS LOWER THAN THE NO-NEW REVENUE RATE AND LOWER THAN THE VOTER-APPROVED RATE FOR THE USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY OF LINDALE FOR THE BUDGET YEAR 2020-2021 AND APPORTIONING EACH LEVY FOR THE SPECIFIC PURPOSE, CITY WILL TAKE SEPARATE VOTES.

A. **ACTION TO APPROVE AN ORDINANCE LEVYING TAX RATE AD VAL TAX RATE OF .4785.** BOB TARDIFF MADE A MOTION TO APPROVE **ORDINANCE 17-2020** ADOPTING A TAX RATE OF .4785 THAT IS BELOW THE NO-NEW REVENUE RATE AND BELOW THE VOTER-APPROVAL RATE FOR BUDGET YEAR 2020-2021. SECOND BY RICK THELEN. RECORD OF VOTE RICK THELEN FOR, CLYDE HARPER FOR, GINGER SIMS FOR, BOB TARDIFF FOR, AND BRYAN SUMMERVILLE FOR. MOTION CARRIED UNANIMOUSLY

B. **ACTION TO APPROVE MAINTENANCE AND OPERATIONS AD VAL TAX RATE OF .234679.** GINGER SIMS MADE A MOTION TO APPROVE LEVYING A TAX RATE OF .234679

FOR MAINTENANCE AND OPERATIONS (M/O) FOR THE BUDGET YEAR 2020-2021, SECOND BY CLYDE HARPER. RECORD OF VOTE RICK THELEN FOR, CLYDE HARPER FOR, GINGER SIMS FOR, BOB TARDIFF FOR, AND BRYAN SUMMERVILLE FOR. MOTION CARRIED UNANIMOUSLY.

- C. **ACTION TO APPROVE INTEREST AND SINKING (I&S) AD VAL TAX RATE OF .243821.** RICK THELEN MADE A MOTION TO APPROVE LEVYING A TAX RATE OF .243821 FOR INTEREST AND SINKING (I/S) FOR THE BUDGET YEAR 2020-2021. SECOND BY BRYAN SUMMERVILLE. RECORD OF VOTE RICK THELEN FOR, CLYDE HARPER FOR, GINGER SIMS FOR, BOB TARDIFF FOR, AND BRYAN SUMMERVILLE FOR. MOTION CARRIED UNANIMOUSLY.

C-5 DISCUSSION AND PRESENTATION BY CHAD FRANKE OF A POSSIBLE NEW DEVELOPMENT ON JIM HOGG ROAD. CHAD FRANKE PRESENTED HIS PROPOSED NEW DEVELOPMENT TO THE CITY COUNCIL, THE 76 ACRES TRACT IS LOCATED ON JIM HOGG RD. THE VISION FOR THE MASTERPLAN PRESENTED WOULD HAVE MICRO SUBDIVISIONS WITHIN IT HAVING APPROXIMATELY 190 LOTS. THIS WOULD MEET LINDALE'S GROWTH AND HAVE DIFFERENT PRICE POINTS THAT WOULD ALSO MEET THE NEEDS OF LINDALE. HIS PROPOSAL IS TO GET THE PROPERTY ANNEXED AND DO FINAL PLATTING. HE WOULD LIKE TO BUILD A SUBDIVISION WITH AMENITIES AND TIE IN WITH OTHER NEIGHBORHOODS AND CONNECTIVITY OF ROADS FOR THE COMMUNITY. THE FRONT OF THE SUBDIVISION WOULD HAVE A NICE POND AND TREES IT WOULD BE A GREAT LOCATION TO EXPAND FOR A CITY PARK WITH WALKING TRAILS. HE WOULD LIKE COUNCIL'S FEEDBACK ON THE SUBDIVISION, WALKING TRAILS AND THE PARK. MAYOR DAUGHERTY, SUGGESTED HE GET WITH THE PARKS BOARD BECAUSE THEY ARE RELOOKING AT THE MASTER PLAN OF LINDALE. THIS DEVELOPMENT IS NOT IN LINDALE YET BUT, SUGGEST THAT CHAD GET INFORMATION TO THE PARKS BOARD AND SHARE HIS VISION WITH THEM AND LET THEM CONSIDER IT IN THEIR MASTER PLAN. COUNCILMAN BOB TARDIFF, DISCUSSES ROADS WITH CHAD AND CONCERNS OF HAVING ONLY ONE ACCESS OF IN AND OUT WITH THAT MANY HOMES FOR ANY LENGTH OF TIME. CHAD DISCUSSES ACCESS AND CONNECTIVITY TO BRICK YARD ROAD AND NEW LIBERTY CROSSING BLVD. NO ACTION TAKEN.

C-6 DISCUSSION AND POSSIBLE ACTION TO APPROVE A DEVELOPMENT AGREEMENT BETWEEN CITY OF LINDALE AND LINDALE ECONOMIC DEVELOPMENT REGARDING FEDEX GROUND. CAROLYN CALDWELL, CITY MANAGER, STATED LEDC IS WORKING ON A DEVELOPMENT AGREEMENT WITH FEDEX GROUND. THEY NEED TEMPORARY PARKING. GLEN PATRICK, CITY ATTORNEY, DID A TEMPORARY AGREEMENT BETWEEN THE CITY AND LEDC. SUSAN GILL, PRESIDENT OF THE LINDALE ECONOMIC DEVELOPMENT CORPORATION, STATED THAT FEDEX HAS REQUESTED A TEMPORARY PARKING LOT FOR 6 MONTHS NOVEMBER THROUGH APRIL, FOR THEIR PEAK PERIOD. THEY HAVE ASKED TO LEASE 2 ACRES THAT IS ADJACENT TO THEIR CURRENT PARKING LOT, FOR A TEMPORARY GRAVEL PARKING LOT INSTALLED UNTIL THE END OF APRIL, THEN THE TEMPORARY PARKING LOT WILL BE REMOVED. RICK THELEN MADE A MOTION TO APPROVE AN AGREEMENT BETWEEN THE CITY OF LINDALE AND THE LINDALE ECONOMIC DEVELOPMENT REGARDING FEDEX GROUND. SECOND BY CLYDE HARPER. RECORD OF VOTE RICK THELEN FOR, CLYDE HARPER FOR, GINGER SIMS FOR, BOB TARDIFF FOR, AND BRYAN SUMMERVILLE FOR. MOTION CARRIED UNANIMOUSLY.

C-7 DISCUSSION AND POSSIBLE ACTION TO APPROVE AWARD BID FOR SEWER MACHINE. CAROLYN CALDWELL, CITY MANAGER, STATED WE RECEIVED FOUR BIDS ,TWO OF THEM DID NOT MEET BID SPECS. THE LOWEST BID WAS VERMEER. THEY WERE THE LOWEST BID AND MET BID SPECS. GINGER SIMS MADE A MOTION TO APPROVE TO AWARD BID FOR SEWER MACHINE TO VERMEER FOR \$62,422.30 TO BE PAID FROM WATER CAPITAL FUND. SECOND BY BRYAN SUMMERVILLE. RECORD OF VOTE RICK THELEN FOR, CLYDE HARPER FOR, GINGER SIMS FOR, BOB TARDIFF FOR, AND BRYAN SUMMERVILLE FOR. MOTION CARRIED UNANIMOUSLY.

C-8 DISCUSSION AND POSSIBLE ACTION TO APPROVE PURCHASE OF TRUCK FOR WATER DEPARTMENT. BRYAN SUMMERVILLE MADE A MOTION TO APPROVE PURCHASE OF FORD F150 FROM TOLIVER FORD FOR \$28,387.62 TO BE PAID FROM WATER CAPITAL FUND. SECOND BY RICK THELEN. RECORD OF VOTE RICK THELEN FOR, CLYDE HARPER FOR, GINGER SIMS FOR, BOB TARDIFF FOR, AND BRYAN SUMMERVILLE FOR. MOTION CARRIED UNANIMOUSLY.

C-9 DISCUSSION AND POSSIBLE ACTION TO APPROVE LINDALE ECONOMIC DEVELOPMENT CORPORATION BUDGET FOR FISCAL YEAR 2020-2021. SUSAN GILL, PRESIDENT OF LINDALE ECONOMIC DEVELOPMENT CORPORATION, PRESENTED COUNCIL WITH 2020-2021 LEDC BUDGET. BOB TARDIFF MADE A MOTION TO APPROVE LINDALE ECONOMIC DEVELOPMENT CORPORATION BUDGET FOR FISCAL YEAR 2020-2021. SECOND BY GINGER SIMS. RECORD OF VOTE RICK THELEN FOR, CLYDE HARPER FOR, GINGER SIMS FOR, BOB TARDIFF FOR, AND BRYAN SUMMERVILLE FOR. MOTION CARRIED UNANIMOUSLY.

C-10 DISCUSSION AND POSSIBLE ACTION TO APPROVE EMERGENCY EXPENDITURE FOR AIR CONDITIONING UNIT AT CITY HALL BOB TARDIFF MADE A MOTION TO APPROVE \$11,000 FOR AIR CONDITIONING UNIT FOR THE CITY HALL POLICE DEPARTMENT PAID FROM GENERAL CAPITAL FUND. SECOND BY CLYDE HARPER. RECORD OF VOTE RICK THELEN FOR, CLYDE HARPER FOR, GINGER SIMS FOR, BOB TARDIFF FOR, K AND BRYAN SUMMERVILLE FOR. MOTION CARRIED UNANIMOUSLY.

C-11 DISCUSS AND POSSIBLE ACTION TO ACCEPT COUNCILMAN CLYDE HARPER LETTER OF RESIGNATION FROM CITY COUNCIL PLACE 2. BOB TARDIFF MADE A MOTION TO ACCEPT COUNCILMAN CLYDE HARPER'S RESIGNATION FROM CITY COUNCIL PLACE 2 EFFECTIVE SEPTEMBER 16, 2020. SECOND BY RICK THELEN. RECORD OF VOTE RICK THELEN FOR, CLYDE HARPER FOR, GINGER SIMS FOR, BOB TARDIFF FOR, AND BRYAN SUMMERVILLE FOR. MOTION CARRIED UNANIMOUSLY.

C-12 DISCUSSION AND POSSIBLE ACTION TO APPROVE MASONRY WORK COST AROUND GATEWAY SIGN. BRYAN SUMMERVILLE MADE A MOTION TO APPROVE \$5,500 FOR MASONRY WORK AROUND GATEWAY SIGN. SECOND BY GINGER SIMS. RECORD OF VOTE RICK THELEN FOR, CLYDE HARPER FOR, GINGER SIMS FOR, BOB TARDIFF FOR, BRYAN SUMMERVILLE FOR. MOTION CARRIED UNANIMOUSLY.

C-13 DISCUSSION AND POSSIBLE ACTION TO APPROVE 32,000 FOR COVID MESSAGE BOARDS, EXPENDITURE FUNDED BY CARES ACT FUND. DAVID CRAFT, FINANCIAL DIRECTOR STATED THIS EXPENSE WOULD BE FOR 2 MESSAGE BOARDS. HE HAS VERIFIED WITH TEXAS DEPARTMENT OF EMERGENCY SERVICES THAT THROUGH THE TREASURY DEPARTMENT IT QUALIFIES UNDER THE 75% CATEGORY OF THE CARES ACT. RICK THELEN MADE A MOTION TO APPROVE PURCHASE OF TWO MESSAGE BOARDS TO BE USED FOR COVID MESSAGES FOR \$30,000 TO BE PAID FROM THE CARES ACT. SECOND BY GINGER SIMS. RICK THELEN AMENDED THE MOTION TO APPROVE \$32,000. SECOND BY GINGER SIMS. RECORD OF VOTE RICK THELEN FOR, CLYDE HARPER FOR, GINGER SIMS FOR, BOB TARDIFF FOR, AND BRYAN SUMMERVILLE FOR. MOTION CARRIED UNANIMOUSLY.

C-14 DISCUSSION AND POSSIBLE ACTION REGARDING COVID POLICY, PROCEDURES, ORDERS, UPDATES, COMMUNITY EVENTS AND CONSULT WITH CITY MEDICAL ADVISOR. CAROLYN CALDWELL, CITY MANAGER, STATED THE CITY IS CONTINUING TO FOLLOW COVID PROTOCOL. MAYOR DAUGHERTY STATED HE HAS SPOKE WITH DR. WILSON AND RECEIVED INFORMATION FROM HIM THAT DEATH RATES ARE EXPECTED TO CLIMB ACROSS THE U.S. SOUTH TEXAS IS STILL BEING HIT HARD. HE NEEDS COUNCIL TO TAKE ACTION ON DECLARATION AND RATIFY FOR ANOTHER 30 DAYS. SHELBIE GLOVER, CHAMBER PRESIDENT, UPDATED COUNCIL ON LAUNCH LOCAL EVENT. SHE IS HAPPY AND OVERLY PLEASED THE WAY THE EVENT IS PROGRESSING WITH OVER 80 VENDORS SIGNED UP. CURRENTLY THERE ARE 5 FOOD TRUCKS AND 5 ENTERTAINMENT SPOTS BOOKED. THERE WILL BE A CAR SHOW FROM 10 A.M. TO 2 P.M. THAT BENEFITS THE LIBRARY, SHE IS WORKING WITH BETTER BUSINESS BUREAU, A SHRED TRUCK WILL BE THERE, AND 12 WINERIES ARE COMING OUT. THE WINE EVENT WILL BE DOING IT INDEPENDENTLY AND TAKING CARE OF THEMSELVES. THEY WILL HAVE THEIR OWN GLASSWARE. THEY WILL BE CHECKING I.D., AND WILL CHARGE \$1 FOR TASTING, \$5 FOR GLASS, AND THE RETAIL SELL FOR A BOTTLE OF WINE. THEY ARE WORKING WITH TABC. BOB TARDIFF MADE A MOTION TO EXTEND THE DECLARATION FOR ANOTHER 30 DAYS. SECOND BY GINGER SIMS. RECORD OF VOTE RICK THELEN FOR, CLYDE HARPER FOR, GINGER SIMS FOR, BOB TARDIFF FOR, AND BRYAN SUMMERVILLE FOR. MOTION CARRIED UNANIMOUSLY.

C-15 DISCUSSION AND POSSIBLE ACTION TO APPROVE MINUTES FOR AUGUST 4, 2020 AND AUGUST 18, 2020 REGULAR COUNCIL MEETINGS, AND AUGUST 11, 2020 AND AUGUST 31, 2020 CALLED COUNCIL MEETINGS. RICK THELEN MADE A MOTION TO APPROVE MINUTES FOR AUGUST 4, 2020 AND AUGUST 18, 2020 REGULAR COUNCIL MEETINGS, AND AUGUST 11, 2020 AND AUGUST 31, 2020 CALLED COUNCIL MEETINGS. SECOND BY CLYDE HARPER. RECORD OF VOTE RICK THELEN FOR, CLYDE HARPER FOR, GINGER SIMS FOR, BOB TARDIFF FOR, AND BRYAN SUMMERVILLE FOR. MOTION CARRIED UNANIMOUSLY.

C-16 DISCUSSION AND POSSIBLE ACTION TO APPROVE FINAL BUDGET AMENDMENTS FOR BUDGET YEAR 2019-2020. BOB TARDIFF MADE A MOTION TO APPROVE FINAL BUDGET AMENDMENTS FOR BUDGET YEAR 2019-2020. SECOND BY CLYDE HARPER. RECORD OF VOTE RICK THELEN FOR, CLYDE HARPER FOR, GINGER SIMS FOR, BOB TARDIFF FOR, AND BRYAN SUMMERVILLE FOR. MOTION CARRIED UNANIMOUSLY.

C-17 DISCUSSION AND POSSIBLE ACTION TO APPROVE AUGUST 2020 EXPENDITURES AND FINANCIAL REPORT. DAVID CRAFT, FINANCIAL DIRECTOR STATED OUR SALES TAX WAS UP BY \$15,939 THIS MONTH. WE HAVE COLLECTED 112% OF THE BUDGETED AMOUNT FOR SALES TAX FOR THE CURRENT FISCAL YEAR. THE WATER SALES ARE STILL IN GREAT SHAPE TO MAKE BUDGET. THE FINES AND FORFEITURES HAVE MADE BUDGET. PERMITS ARE WAY AHEAD OF BUDGET FOR THE YEAR AND ARE STILL GOING STRONG. RICK THELEN MADE A MOTION TO APPROVE FINANCIAL REPORT AND EXPENDITURES FOR AUGUST 2020. SECOND BY GINGER SIMS. RECORD OF VOTE RICK THELEN FOR, CLYDE HARPER FOR, GINGER SIMS FOR, BOB TARDIFF FOR, AND BRYAN SUMMERVILLE FOR. MOTION CARRIED UNANIMOUSLY.

C-18 CITIZEN TALK TIME: NONE.

REPORTS: CITY COUNCIL, CITY MGR., CITY STAFF (NO DISCUSSION, INFORMATION UPDATE ONLY). COUNCIL MEMBERS RICK THELEN, GINGER SIMS, BOB TARDIFF, BRYAN SUMMERILLE, THE CITY MANAGER, CAROLYN CALDWELL, AND MAYOR WISH COUNCILMAN CLYDE HARPER WELL AND THANKED HIM FOR HIS SERVICE AS COUNCILMAN. GINGER SIMS THANKED THE CITY AND COUNCIL FOR THE SPRAY OF FLOWERS FOR HER BROTHER IN LAW. DAVID CRAFT, FINANCIAL DIRECTOR, STATED HE WILL BE WORKING ON COUNCIL NEW LAPTOPS.

D. ADJOURNMENT. 7:18 P.M.


MICHELLE WIESE, CITY SECRETARY


JEFF D. DAUGHERTY, MAYOR